

Amendments to the Management Plan for the Ngari Capes Marine Park Management Plan 74 2013-2023

These amendments to the *Ngari Capes Marine Park management plan 74 2013-2023* were approved by the Minister for Environment on 15 February 2018. The amendments to the management plan came into operation on 2 March 2018, following publication in the *Government Gazette*.

- a) The following paragraph replaces all text under the heading of 'Special purpose zones (surfing)' on page 17 of the *Ngari Capes Marine Park management plan 74 2013-2023*.

Special purpose zones (surfing)

The purpose of these zones is to recognise and provide for surfing as a priority use. This zoning recognises the high social value of surfing, including body surfing, board riding, body boarding, surf skiing, wave skiing, kitesurfing and windsurfing. The conservation purpose of these zones is to provide protection of nearshore and offshore habitats. Commercial fishing activities that are considered to be incompatible with the conservation purpose of these zones are: rock lobster fishing, trawl fishing, commercial coral, live rock and live sand collecting, commercial octopus fishing and aquaculture. Recreational fishing activities that are considered to be incompatible with the conservation purpose of these zones are: specimen shell collecting (alive), coral and live rock collecting and octopus or rock lobster fishing with pots. Recreational rock lobster fishing with pots is permitted in the Margaret River Special Purpose Zone (Surfing).

- b) The following paragraph replaces all text under the headings 'Special purpose zones (shore-based activities)' and 'Recreation zones' on page 18 of the *Ngari Capes Marine Park management plan 74 2013-2023*.

Special purpose zones (shore-based activities)

Special purpose zones (shore-based activities) recognise and specially provide for existing nodes of high coastal use. The conservation purpose of these zones is to provide protection to nearshore habitats and communities. Commercial fishing activities other than shore-based abalone, aquarium, and specimen shell collecting are considered incompatible with the conservation purpose of these zones. The following recreational fishing activities are considered incompatible with the conservation purpose of these zones: fishing using a boat, specimen shell collecting (alive), coral and live rock collecting, octopus fishing using pots or traps, spearfishing and fishing from a charter vessel. Activities permitted in this zone include nature appreciation and some shore-based commercial and recreational fishing activities where fishers must be on the shore while fishing.

Recreation zones

Recreation zones provide for the protection of ecological values while permitting compatible recreational activities including fishing. Hamelin Bay and Cowaramup Bay are areas of high recreational value and use for visitors. The recreational purpose of the Hamelin Bay Recreation Zone is to provide for an ongoing high quality recreation experience at a known tourism node. Recreational fishing activities that are considered to be incompatible with the recreational purpose of this zone are: specimen shell collecting (alive), coral and live rock collecting and fishing from a charter vessel. The recreational purpose of the Cowaramup Bay Recreation Zone is to provide a family oriented recreation beach. Recreational fishing activities that are considered to be incompatible with the recreational purpose of this zone

are: crabbing for species other than blue swimmer crabs, specimen shell collecting, coral and live rock collecting, octopus fishing and fishing from a charter vessel.

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- c) The permitted uses tables and associated key below replace those on pages 22-23 of the Ngari Capes Marine Park Management Plan 2013-2023, Management Plan No 74

Table 8 Permitted recreational uses in the Ngari Capes Marine Park

| Activity | Sanctuary zone | Special purpose zone (surfing) | Hamelin Bay Recreation zone | Cowaramup Bay Recreation zone | Special purpose zone (shore-based activities) | General use zone |
|--|----------------|--------------------------------|-----------------------------|-------------------------------|---|------------------|
| Nature appreciation [a,e] | Yes | Yes | Yes | Yes | Yes | Yes |
| Recreational boating (motorised & non-motorised) [a,e,g] | Yes [b] | Yes [b] | Yes | Yes | Yes [b] | Yes |
| Water skiing [a,j] | No | No | Yes | Yes | No | Yes |
| Parasailing [a,e] | No | No | Yes | Yes | No | Yes |
| Free styling [j] on motorised vessel [a,e] | No | No | Yes [b] | Yes [b] | No | Yes |
| Swimming | Yes | Yes [b] | Yes | Yes | Yes | Yes |
| Surfing [i] | Yes [b] | Yes | Yes | Yes | Yes [b] | Yes |
| Recreational snorkelling and diving [h] | Yes | Yes [b] | Yes | Yes | Yes | Yes |
| Animal exercising | No | No [d] | No [d] | No [d] | No [d] | No [d] |
| Recreational abalone fishing [a,e] | No | Yes [b] | Yes | Yes | Yes [l] | Yes |
| Recreational line fishing [a,e] | No | Yes [b] | Yes | Yes | Yes [l] | Yes |
| Recreational netting [a,e] | No | Yes [b] | Yes | Yes | Yes [l] | Yes |
| Recreational crabbing [a,e] | No | Yes [b] | Yes | No [k] | Yes [l] | Yes |
| Recreational specimen shell collecting – <i>alive</i> [a,e] * | No | No | No | No | No | Yes |
| Recreational specimen shell collecting – <i>dead</i> [a,e] * | No | Yes [b] | Yes | No [k] | Yes [b,l] | Yes |
| Recreational coral and live rock collecting [a,e, n] | No | No | No | No | No | Yes |
| Recreational rock lobster fishing <i>by pot</i> [a,e] | No | No [f] | Yes | Yes | Yes [l] | Yes |
| Recreational rock lobster fishing <i>by hand</i> [a,e] | No | Yes [b] | Yes | Yes | Yes [l] | Yes |
| Recreational octopus fishing using pots/traps [a,e] | No | No | Yes | No [k] | No | Yes |
| Recreational octopus fishing <i>other than by pot/trap</i> [a,e] | No | Yes | Yes | No[k] | Yes [l] | Yes |
| Customary Aboriginal hunting [a] | Yes | Yes | Yes | Yes | Yes | Yes |
| Spearfishing [a,e] | No | Yes [b,c] | Yes [b,c] | Yes [b,c,k] | No | Yes [c] |
| Charter vessels – fishing [a,e] | No | Yes [b] | No | No | No | Yes |

Table 10 Key for permitted use provisions in Table 7, Table 8 and Table 9

| Symbol | Meaning |
|---------------|---|
| a | Subject to the requirements of the <i>Western Australian Marine Act 1982</i> and/or FRM Act and/or <i>Pearling Act 1990</i> and/or CALM Act and/or <i>Wildlife Conservation Act 1950</i> and/or <i>Environmental Protection Act 1986</i> and/or <i>Mining Act 1978</i> and associated regulations. |
| b | <i>Deleted</i> |
| c | Spearfishing may be restricted if there are legitimate safety concerns at family and high use areas. |
| d | Unless undertaken in areas designated for animal exercising under the CALM Regulations. |
| e | Boating and associated activities (e.g. anchoring, mooring, speed, access) may be restricted in specific areas where there is a clear need for such restrictions. |
| f | Recreational rock lobster pot fishing is permitted in the Margaret River Special Purpose Zone (surfing). |
| g | Includes jet skis and other motorised personal water craft. |
| h | Using scuba or hookah dive equipment and undertaking non-extractive activity |
| i | Surfing includes board riding, body boarding, surf and wave skiing, kite surfing and windsurfing. |
| j | Free styling is defined as using a personal water craft in a manner that is characterised by high speed and erratic or irregular driving such as wave jumping, driving in a circle or other pattern and/or weaving or diverting. |
| k | Prior to gazettal of the marine park, Cowaramup Bay was gazetted a Reef Protection Area under the FRM Act effectively protecting a range of species from extraction. The prohibition order states 'A person must not engage in fishing in Cowaramup Bay other than for fish described as: abalone; blue manna crabs; cuttlefish; finfish; rock lobster and squid.' The Order prohibits the collection of specimen shells, including dead specimen shells. This Order and existing prohibitions remain in force and have been extended to coincide with the boundary of Cowaramup Bay Recreation Zone. |
| l | Fishers must be on the shore while fishing. Fishing associated with the use of a boat is not permitted. |
| m | Exploratory drilling for petroleum is not permitted. |
| n | Recreational coral and live rock collecting is prohibited state wide under the FRM Act. |
| * | From a conservation perspective there is a policy preference for visitors not to disturb or remove any live or dead specimen shells within marine parks. Limits for collection are set under the FRM Act by DoF. See DoF Recreational Fishing Guide for bag limits for |
| Assess | Proposal will be assessed by relevant agencies in accordance with standard procedures. |